

REMARKS

Amendment summary

Claim 25 is amended to recite subject matter from Claims 16 and 22. In addition, Claim 25 is amended to recite that a gel is formed. Support for this amendment may be found at least at, e.g., page 13, lines 2-3 of the present specification. Claim 25 is also amended to recite that the degree of polymerization of the core block is about 150 up to about 400. Support for this amendment may be found at least at, e.g., page 11, line 31 to page 12, line 1 of the present specification.

Claims 1, 11, 16, 21, and 22 are canceled.

Claim 9 is amended to recite formula VI.

Claims 54 and 55 are newly added to recite subject matter previously present in Claims 5 and 10.

The remaining amended claims are amended to depend from independent method Claim 25.

Response to objection to Claim 9

Claim 9 was objected to for reciting Formula VII, rather than Formula VI. Applicants note that Claim 9 has been amended, rendering the objection moot. Applicants therefore respectfully request the withdrawal of this objection.

Response to rejection of Claims 1-28, 43, and 45-53 under 35 U.S.C. § 102 based on Lewis

Claims 1-28, 43, and 45-53 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Lewis et al. (U.S. Patent No. 6,852,816) (hereinafter “Lewis”) and WO 02/28929.

Applicants respectfully traverse on the basis that the Office Action failed to set forth a proper *prima facie* case of anticipation, as the cited references fail to disclose or suggest elements of the present claims.

As a preliminary matter, Applicants submit that Lewis does not anticipate or render obvious the presently claimed invention because Lewis does not disclose the use of a stimulus to change a liquid into a gel. The present claims recite that the terminal blocks respond to the stimulus to form a gel. Lewis does not disclose or suggest this method, and Applicants respectfully submit that Lewis therefore does not anticipate or render obvious the presently claimed invention.

In addition, Applicants respectfully submit that Lewis does not anticipate or render obvious either the presently recited ABA triblock copolymer or the presently recited degree of polymerization of the core block. First, although Lewis generally discloses ABA-type copolymers, Lewis does not specifically disclose such polymers or illustrate them in an Example. In addition, the present claims recite that the core block have a degree of polymerization of about 150 to about 400. However, contrary to the Examiner's assertion, this degree of polymerization is not disclosed or suggested in the cited art. There is no disclosure in Lewis that would lead a person having ordinary skill in the art to understand that Lewis discloses that the length of the core, B, block of such a polymer is within the presently recited range. Indeed, in Lewis the working Examples are either AB diblock or ABC triblock copolymers, and in none of these is the degree of polymerization of the block of hydrophilic monomer higher than about 100. Thus, not only does Lewis not specifically disclose the presently recited ABA-type triblock copolymer in an Example, but also none of the polymers in the Examples have a degree of polymerization corresponding to the degree of polymerization recited in the present claims.

Applicants also note that the present specification illustrates that better results are achieved with higher degrees of polymerization for the core block for an ABA type triblock polymer. For instance, Table 3 shows the results of the gelation characteristics for various ABA block copolymers. The gelation was performed by forming aqueous solutions at pH 2 and then adjusting the pH to pH 9 (see page 26 lines 1 to 2 of the present specification) – i.e., applying a stimulus pH change. As can be seen from Table 3, no gelation is observed for block copolymers where the degree of polymerisation for the core block is only 100 - even at relatively high polymer concentrations of 20%.

The present specification explains this further on page 27, from lines 12 to 21. These results show that when gelation is the property sought upon imposition of the stimulus, it is critical to use degree of polymerisation higher than 100.

In view of the above, Applicants respectfully submit that the presently claimed invention is not anticipated by the cited references, and respectfully request the reconsideration and withdrawal of this rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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